

## Message Text

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13

ORIGIN COA-02

INFO OCT-01 ARA-11 EUR-25 ADP-00 COME-00 INT-08 EB-11 CG-00

CIAE-00 INR-10 NSAE-00 RSC-01 L-03 H-02 EPA-04 CEQ-02

SCI-06 DODE-00 PRS-01 SS-15 NSC-10 /112 R

DRAFTED BY SFW/ COA W. G. VANCAMPEN: EB

4/27/73 EXT. 21073

APPROVED BY SFW/ COA W. G. VANCAMPEN

COM/ NOAA- MR. TERRY ( SUB)

EUR/ WE- MR. BEIGEL

ARA/ CAR- MR. KELLY

----- 011274

R 082244 Z MAY 73

FM SECSTATE WASHDC

TO AMEMBASSY THE HAGUE

INFO AMCONSUL CURACAO

AMEMBASSY MEXICO

AMEMBASSY COPENHAGEN

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E. O. 11652: N/ A

TAGS: EFIS XP NL NA

SUBJ: NETHERLANDS FLAG TUNA FISHING IN PACIFIC

REF: ( A) STATE 29736; ( B) STATE A-2784 OF MARCH 29, 1973;

( C) CURACAO 178

MEXICO CITY AND COPENHAGEN FOR REGIONAL FISHERIES

ATTACHES

1. REF ( A) EXPRESSED CONCERN OVER POSSIBILITY THAT US-  
OWNED NETHERLANDS FLAG TUNA PURSE SEINER ATLANTIS MIGHT  
OPERATE IN DISREGARD OF YELLOWFIN TUNA CONSERVATION REGIME

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OF INTER- AMERICAN TROPICAL TUNA COMMISSION; REF ( B) FUR-  
NISHED THE HAGUE AND CURACAO WITH INFORMATION ON IATTC  
CONVENTION, TUNA FISHERY REGULATIONS, US IMPLEMENTING  
LEGISLATION AND PRACTICAL ENFORCEMENT PROBLEMS; REF ( C)  
CONFIRMED THAT ATLANTIS IS IN NETHERLANDS ANTILLES REGISTRY.

2. CAUSE FOR CONCERN OVER THIS SITUATION IS INCREASING.

EVIDENCE IS ACCUMULATING THAT ATLANTIS IS OPERATING AT PRESENT IN IATTC REGULATORY AREA IN MANNER THAT WOULD BE ILLEGAL IF SHE WERE UNDER US REGISTRY. DEPARTMENT HAS RELIABLE REPORT THAT TWO LARGE TUNA PURSE SEINERS NEARING COMPLETION IN US SHIPYARDS ARE ALSO INTENDED FOR NETHERLANDS ANTILLES REGISTRY. US TUNA FISHING INDUSTRY IS EXPRESSING INCREASING DISSATISFACTION WITH INEQUITABLE SITUATION IN WHICH AMERICAN FISHERMEN ARE STRICTLY REGU-

LATED WHILE THOSE OF SOME OTHER NATIONS APPARENTLY ARE NOT. THIS DISSATISFACTION IS FOCUSING PARTICULARLY ON ATLANTIS SITUATION BECAUSE OF PROSPECT WHICH IT PRESENTS OF RUNAWAY OF FLEET TO FOREIGN FLAG OF CONVENIENCE. UNDER INDUSTRY PRESSURE, USG FISHERY AUTHORITIES ARE MAKING PREPARATIONS FOR INVOKING TRADE PENALTY PROVISIONS OF RELEVANT US LAWS (SEE REF (B), AND COMMITTEE ON MERCHANT MARINE AND FISHERIES OF HOUSE OF REPRESENTATIVES IS PREPARING TO HOLD HEARINGS ON PROBLEM SHORTLY. AT PRESENT INDUSTRY AND CONGRESSIONAL CONCERN RELATES ONLY TO EQUITABLE APPLICATION OF TUNA CONSERVATION RULES, BUT THERE IS POTENTIAL PROBLEM WITH EVEN GREATER POLITICAL IMPLICATIONS RELATED TO RECENTLY ENACTED US LAW FOR PROTECTION OF MARINE MAMMALS, WHICH WITHIN NEXT FEW YEARS MAY PLACE US FLAG TUNA SEINERS UNDER SEVERE OPERATIONAL LIMITATIONS IN ORDER TO PROTECT PORPOISES. THIS LAW ALSO CONTAINS TRADE SANCTION PROVISION.

3. USG IS MAKING APPROACHES TO OTHER IATTC MEMBER AND NON-MEMBER GOVERNMENTS WHICH APPEAR TO BE FACED WITH TUNA FISHERY ENFORCEMENT PROBLEMS IN EASTERN PACIFIC, WITH CONSTRUCTIVE SUGGESTIONS AS TO HOW COOPERATIVE ACTION COULD IMPROVE OVERALL ENFORCEMENT SITUATION AND THEREBY STRENGTHEN INTERNATIONAL TUNA CONSERVATION PROGRAM IN AREA. IN CASE OF ATLANTIS AND OTHER POTENTIAL NETHERLANDS FLAG TUNA-BOATS, WE SEE AS MINIMUM ESSENTIAL MEASURES THAT COMPETENT LIMITED OFFICIAL USE  
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GON AUTHORITIES (1) MAKE ARRANGEMENTS TO INSPECT LANDINGS DURING CLOSED SEASON FOR YELLOWFIN TUNA, (2) ASCERTAIN RELIABLY DATES OF VESSELS' ARRIVALS AND DEPARTURES AROUND TIME OF SEASON CLOSURE, AND (3) IF OPERATORS ANNOUNCE INTENTION TO FISH OUTSIDE REGULATORY AREA DURING CLOSED SEASON, REQUIRE VESSELS TO MAKE RADIO REPORTS OF POSITIONS SO THAT THEY CAN BE VERIFIED BY USG RADIO TRIANGULATION FACILITIES. EARLY INDICATION OF GON WILLINGNESS TO TAKE SUCH ACTIONS WOULD BE USEFUL FOR EASING INDUSTRY AND CONGRESSIONAL PRESSURES FOR RETALIATORY MEASURES. ROGERS

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